

**LAW OFFICES OF DALE K. GALIPO**

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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

PATRICIA GARCIA and ANTHONY  
GARCIA, individually and as  
successors-in-interest to Tony Garcia,  
deceased,

Plaintiffs,

v.

MARK FRANKE, LARRS C.  
JOHNSON, WILLIAM HUTTON,  
DEAN WORTHY GERARDO CRUZ,  
ROBERT DELACRUZ, ALBERT  
RAMIREZ, JASON CANTRALL,  
JESSICA TEETSEL, MICHELLE  
VENEGAS, GRANT TOROSSIAN,  
MARCO BORJA, CHARLES GRAY  
and KEVIN CASTANEDA, COUNTY  
OF VENTURA, and DOES 1-10,  
inclusive,

Defendants.

Case No. 2:25-cv-06698-SRM-MAR

*Hon. Serena R. Murillo*

**PLAINTIFFS' REQUEST TO  
DISMISS ENTIRE ACTION WITH  
PREJUDICE**

[Fed. R. Civ. P. 41(a)(1)(A)(i)]

*[Proposed] Order submitted  
concurrently herewith.*

1 WHEREAS, on October 17, 2025, Plaintiffs filed a Notice of Settlement to  
2 inform the Court that this entire matter had settled and request that the Court retain  
3 jurisdiction over the action pending completion of the settlement, after which  
4 Plaintiffs would file a dismissal of the action in its entirety. [Dkt. 10.]

5 WHEREAS, on October 21, 2025, the Court issued an order dismissing this  
6 action dismissed without prejudice, vacating all dates, and retaining jurisdiction for  
7 60 days to vacate the order and reopen the action upon a showing that the settlement  
8 had not been completed. [Dkt. 11.]

9 WHEREAS, one of the terms of the parties' settlement of this action is the  
10 dismissal of the action with prejudice, though this term was not specified in the  
11 Notice of Settlement filed by Plaintiffs.

12 WHEREAS, Plaintiffs now request an order clarifying that the Court's prior  
13 dismissal is with prejudice, rather than without prejudice, or, alternatively,  
14 amending the court's prior order so that the dismissal is now with prejudice.

15 THEREFORE, IT IS HEREBY REQUESTED by Plaintiffs PATRICIA  
16 GARCIA and ANTHONY GARCIA ("Plaintiffs") through their attorneys of record,  
17 that the above-captioned action be and hereby is dismissed in its entirety, with  
18 prejudice, with each party to bear its own costs and attorneys' fees, pursuant to  
19 Federal Rules of Civil Procedure, Rule 41(a)(1)(A)(i).

20  
21 Respectfully submitted,

22  
23 Dated: December 12, 2025 LAW OFFICES OF DALE K. GALIPO

24 By /s/ Benjamin S. Levine  
25 DALE K. GALIPO  
26 BENJAMIN S. LEVINE  
27 Attorneys for Plaintiffs  
28